

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of *Julius et al.*
Serial No.: 09/721,904
Filing Date: November 27, 2000
Title: INDUCTION OF ANTIBIOTIC PROTEINS AND PEPTIDES BY
LAIT/sCD14-PROTEIN
Art Unit: 1654
Examiner: Roy Teller
Atty's Docket No.: 32388-2002

The Commissioner of Patents and Trademarks
Washington, D.C. 20331
U.S.A.

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AMENDMENT

Dear Sir:

This is a response to the non-final Action of July 20, 2004.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 9 of this paper.



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Date December 16, 2004 Client-Matter # 32388-2002
 From John C. Hunt, Ph.D. Direct Tel 416.865.8121
 Page(s) 17 (including this cover page)

Recipient	Fax Number	Tel Number
Examiner Roy R. Teller Mail Stop Amendment Commissioner for Patents United States Patent and Trademark Office	1.571.273.0971	1.571.272.0971

Comments

CERTIFICATE OF FACSIMILE TRANSMISSION

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John C. Hunt, Ph.D.
John C. Hunt, Ph.D.
Registration No. 36424

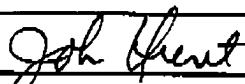
December 16, 2004
Date

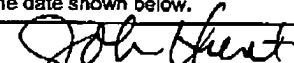
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TRANSMITTAL FORM <i>(To be used for all correspondence after initial filing)</i>		Application Number	09/721,904
		Filing Date	November 27, 2000
		First Named Inventor	JULIUS
		Art Unit	1654
		Examiner Name	RECEIVED TELLER, Roy R. DEC 16 2004
Total Number of Pages in This Submission	16	Attorney Docket Number	32388-2002

ENCLOSURES (check all that apply)				
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CO	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):	{ FORMTEXT	
				<input type="checkbox"/> Drawing(s)
				<input type="checkbox"/> Licensing-related Papers
				<input type="checkbox"/> Petition
				<input type="checkbox"/> Petition to Convert to a Provisional Application
				<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address
				<input type="checkbox"/> Terminal Disclaimer
				<input type="checkbox"/> Request for Refund
				<input type="checkbox"/> CD, Number of CD(s) _____
				<input type="checkbox"/> Landscape Table on CO
Remarks				

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm	TORYS LLP		
Signature			
Printed Name	John C. HUNT		
Date	December 16, 2004	Reg. No.	38424

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Signature			
Typed or printed name	John C. Hunt	Fax No.	1.571.273.0971
Date	December 16, 2004		

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 225)

Complete If Known	
Application Number	09/721,804
Filing Date	November 27, 2000
First Named Inventor	JULIUS
Examiner Name	TELLER, Roy R.
Art Unit	1654
Attorney Docket No.	32388-2002

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Other None
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 Deposit Account:

Deposit Account Number **502651**

Deposit Account Name **TORYS LLP**

The Director is authorized to: (check all that apply)

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 Charge fee(s) indicated below, except for the filing fee
 to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001 790	2001 385	Utility filing fee	
1002 350	2002 175	Design filing fee	
1003 550	2003 275	Plant filing fee	
1004 790	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)		(\$ 0)	

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		Fee from below		Fee Paid
		Extra Claims	Fee Code (\$)	
	-20 **	= 0	X 0	= 0
Independent Claims	-3 **	= 0	X 0	= 0
Multiple Dependent		X 0	= 0	

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202 18	2202 8	Claims in excess of 20
1201 68	2201 44	Independent claims in excess of 3
1203 300	2203 150	Multiple dependent claim, if not paid ** Reissue independent claims over original patent
1204 68	2204 44	** Reissue claims in excess of 20 and over original patent
1205 18	2205 9	
SUBTOTAL (2)		(\$ 0)

** or number previously paid, if greater. For Reissues, see above

3. ADDITIONAL FEES

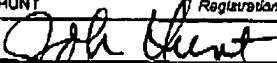
Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1051 130	2051 66	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,620	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 430	2252 215	Extension for reply within second month	225.00
1253 980	2253 490	Extension for reply within third month	
1264 1,530	2254 765	Extension for reply within fourth month	
1255 2,080	2255 1,040	Extension for reply within fifth month	
1401 340	2401 170	Notice of Appeal	
1402 340	2402 170	Filing a brief in support of an appeal	
1403 300	2403 150	Request for oral hearing	
1451 1,510	1451 1,510	Petition to Institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,370	2453 685	Petition to revive - unintentional	
1501 1,370	2501 685	Utility issue fee (or reissue)	
1502 490	2502 245	Design issue fee	
1503 660	2503 330	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1607 50	Processing fee under 37 CFR 1.17 (q)	
1808 190	1808 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 790	2809 395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810 790	2810 395	For each additional invention to be examined (37 CFR § 1.128(b))	
1801 790	2801 395	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 225)

SUBMITTED BY

Complete If Applicable	
Name (Print/Type)	John C. HUNT
Signature	
Registration No. (Attorney/Agent)	36424
Telephone	1.416.865.8121
Date	December 16, 2004

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